

JAP:HLJ

M-11-700

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

JAIZURI VERGARA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

JOHN MOLONEY, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 8, 2011, within the Eastern District of New York and elsewhere, defendant JAIZURI VERGARA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about July 8, 2011, JAIZURI VERGARA arrived at John F. Kennedy International Airport ("JFK Airport") in Queens, New York, aboard Avianca Airlines Flight 20 from Bogota, Colombia. The defendant was traveling with a female companion who he said was his mother.

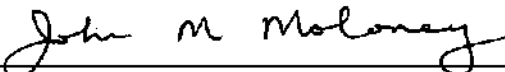
2. Defendant JAIZURI VERGARA was selected for a Customs and Border Protection ("CBP") inspection. During questioning, the defendant was asked which bags were his. He replied that a black and blue "Targus" backpack carry-on and a red and black checked roller bag were his. When asked if the contents of the backpack and the roller bag were his, he responded in the affirmative. During inspection of the backpack, CBP officers discovered a thickness between the compartments. When the backpack was emptied, it felt unusually heavy. When the backpack was probed, a powdery substance was revealed that field-tested positive for heroin. The approximate gross weight of the heroin recovered from the suitcases is 1468.9 grams.

3. After being advised of and waiving his Miranda warnings, the defendant stated, in sum and substance, that he

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

knew he was transporting illegal narcotics into the United States from Colombia and that he expected to be paid for doing so.

WHEREFORE, your deponent respectfully requests that defendant JAIZURI VERGARA be dealt with according to law.



JOHN MOLONEY
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
8th day of July, 2011

THE HONORABLE ANDREW L. CARTER
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK